

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICKEY J. BERGERON, individually)	
and on behalf of all others similarly)	
situated,)	
)	
Plaintiff,)	Civil Action No. 15-1006
)	
v.)	Judge Cathy Bissoon
)	
BENTON ENERGY SERVICE)	
COMPANY,)	
)	
Defendant.)	

ORDER

The Joint Motion for Approval of Collective Action Settlement (**Doc. 35**) is **GRANTED**. The parties' settlement agreement falls within a range of reasonableness, and the Court finds the settlement to be fair, reasonable and adequate as to members of the collective action.¹ The parties shall proceed, and provide notice to the class, in accordance with the settlement agreement.

The instant action is hereby dismissed with prejudice. The Court shall maintain jurisdiction over the enforcement of the parties' settlement agreement.

IT IS SO ORDERED.

¹ The Court determines that the parties' filings are sufficient to allow adjudication of their request for certification of a collective action and for approval of their proposed settlement, including the award of attorneys' fees. See Grayson v. K Mart Corp., 79 F.3d 1086, 1099 (11th Cir. 1996) (where request for FLSA certification is supported by "substantial allegations and evidence," court may proceed without evidentiary hearing); Mantz v. Steven Singer Jewelers, 2004 WL 1217369, *3-4 (3d Cir. Jun. 3, 2004) (holding same regarding award of attorney's fees under FLSA) (citing Fed. R. Civ. P. 78(b)); accord Moore v. Ackerman, 2009 WL 2848858, at *2 (N.D. Iowa, Sept. 1, 2009).

August 30, 2016

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All Counsel of Record